

PATENT APPLICATION  
USSN: 10/612,334  
Attorney Docket No.: VKO-40002

REMARKS

With respect to the Examiner's rejection of claims 2 and 6 under 35 U.S.C. § 112, applicant submits that the terms "essentially" and "about" are terms like the term "substantially" which indicates a value that is not exact but can vary slightly, i.e., a value that is approximate. This has been understood in patent law for many years. However, if the Examiner would like a different modifier, like --generally-- or --approximately--, applicant will be happy to amend claims 2 and 6 to use these terms.

The Examiner's rejection of claims 1, 2, 6-10 and 15-17 under 35 U.S.C. § 103(a) for being unpatentable over Honda US Patent No, 4,591,025 in view of Aulanko et al. WO Publication No. 03/000581 and in view of Berkowitz US Patent No. 3,838,752, as this rejection is applied to the pending claims, is respectfully traversed.

In support of this traverse, applicant submits that the Aulanko et al. Publication needs to be withdrawn as a citeable reference since it was filed (June 7, 2002) after and published (June 3, 2003) after applicant's priority dates of January 4, 2001 and August 10, 2001. Also, the priority date claimed from a Finnish application is June 21, 2001, a date before applicants' earliest priority date.

Without Aulanko et al., the Honda US Patent No. 4,591,025 and the Berkowitz US Patent No. 3,838,752 do not rende the claims as being obvious, since there is no teaching in these references of the

"guide rails being provide for the cage, the carrier cables are steel cables having a nominal diameter between 5 to 7 mm and in a semicircular grooves in the sheaves having undercut portions each with a width between 1 and 3 mm and that the ratio of the drive sheave diameter to the nominal diameter of the carrier cables is less than 40".

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All that Berkowitz teaches is semicircular grooves having undercut portions.

Thus Honda and Berkowitz do not teach the combination claimed by applicant.

In summary, for the foregoing reasons, applicant submits that the pending claims in this application are patentable over the properly citeable prior art references and otherwise in condition for allowance. An early and favorable action to that end is requested.

Respectfully submitted,

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